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RENE GUADALUPE QUINTERO-MEZA

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

RENE GUADALUPE QUINTERO-MEZA,

Defendant.

Case No. 1:20-cr-00027 JLT-SKO-1

**STIPULATED MOTION AND ORDER TO  
REDUCE SENTENCE PURSUANT TO 18  
U.S.C. § 3582(c)(2)**

**RETROACTIVE CRIMINAL HISTORY  
REDUCTION CASE**

Judge: Hon. Jennifer L. Thurston

Defendant, RENE GUADALUPE QUINTERO-MEZA, by and through his attorney, Assistant Federal Defender Peggy Sasso, and plaintiff, UNITED STATES OF AMERICA, by and through its counsel, Assistant U.S. Attorney Shelley D. Weger, hereby stipulate as follows:

1. Pursuant to 18 U.S.C. § 3582(c)(2), this Court may reduce the term of imprisonment in the case of a defendant who has been sentenced to a term of imprisonment based on a sentencing range that has subsequently been lowered by the Sentencing Commission pursuant to 28 U.S.C. § 994(o), after taking into account the policy statements set forth in USSG § 1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent they are applicable;

2. The United States Sentencing Commission recently amended the Sentencing Guidelines to include what now appears in USSG § 4C1.1 (“zero-point provision”). *See*

1 Amendment 821, Part B, Subpart 1. The zero-point provision provides a 2-offense-level  
2 reduction for certain offenders who present zero criminal history points and satisfy the criteria  
3 listed in USSG § 4C1.1(a). The United States Sentencing Commission made the zero-point  
4 provision retroactive beginning February 1, 2024. *See* USSG § 1B1.10(e)(2) (Nov. 1, 2023); 88  
5 Fed. Reg. 60534;

6 3. On April 10, 2023, this Court sentenced Mr. Quintero-Meza to a term of 97  
7 months;

8 4. Mr. Quintero-Meza's total offense level was 31, his criminal history category was  
9 I (based on him having zero criminal history points), and the resulting guideline range was 108  
10 to 135 months. The Court was not bound to apply the statutory mandatory minimum for the  
11 reasons stated in Section II of the Statement of Reasons;

12 5. The sentencing range applicable to Mr. Quintero-Meza was subsequently lowered  
13 by the zero-point provision;

14 6. Mr. Quintero-Meza is eligible for a reduction in sentence, which reduces his total  
15 offense level by 2 from 31 to 29, and his amended advisory guideline range is reduced to 87 to  
16 108 months;

17 7. Accordingly, the parties request the Court enter the order lodged herewith  
18 reducing Mr. Quintero-Meza's term of imprisonment to 87 months for Count 1 of the  
19 superseding indictment, effective 10 days from the date of the amended judgment. If the amount  
20 of time served as of the effective date of the Court's Order exceeds 87 months, the sentence is  
21 instead reduced to a sentence of time-served effective 10 days from the date of the amended  
22 judgment.<sup>1</sup>

23 8. United States' statement regarding its stipulation:<sup>2</sup>

24 The United States enters into this stipulation after reviewing the Presentence  
25 Investigation Report ("PSR"), ECF No. 78; government's sentencing memo, ECF No. 80;

27 \_\_\_\_\_  
28 <sup>1</sup> This 10-day period is requested by the Bureau of Prisons to perform its statutory duties and  
release planning.

<sup>2</sup> This statement is not part of the parties' stipulation.

Statement of Reasons (“SOR”); Judgment, ECF No. 83; defendant’s Bureau of Prisons (“BOP”) disciplinary history; and after consulting with the prosecuting Assistant United States Attorney.

The defendant pleaded guilty, pursuant to a written plea agreement, to Conspiracy to Distribute a Controlled Substance (Methamphetamine), in violation of 21 U.S.C. §§ 846 and 841(a)(1). PSR ¶¶ 1–2. At sentencing, the government recommended a downward variance to a sentence of 97 months.

According to BOP records, as of March 18, 2024, the defendant has no sustained disciplinary incidents during his time in custody. The defendant is currently located at Jessup FCI with a projected release date of November 6, 2029.

Respectfully submitted,

Dated: March 22, 2024

PHILLIP A. TALBERT  
United States Attorney

Dated: March 22, 2024

HEATHER E. WILLIAMS  
Federal Defender

/s/ Shelley D. Weger  
SHELLEY D. WEGER  
Assistant U.S. Attorney  
Attorney for Plaintiff  
UNITED STATES OF AMERICA

/s/ Peggy Sasso  
PEGGY SASSO  
Assistant Federal Defender  
Attorneys for Defendant  
RENE GUADALUPE QUINTERO-MEZA

**ORDER**

This matter came before the Court on the stipulated motion of the parties for reduction of sentence pursuant to 18 U.S.C. § 3582(c)(2).

The parties agree, and the Court finds, that Mr. Quintero-Meza is entitled to the benefit of Amendment 821, Part B, Subpart 1, the new zero-point provision, which reduces the total offense level from 31 to 29, resulting in an amended guideline range of 87 to 108 months.

IT IS HEREBY ORDERED that, pursuant to USSG § 1B1.10(b), the term of imprisonment imposed in 2023 is reduced to a term of 87 months for Count 1 of the superseding indictment, effective 10 days from the date of the amended judgment. If the amount of time served as of the effective date of the Court's Order exceeds 87 months, the sentence is instead reduced to a sentence of time-served effective 10 days from the date of the amended judgment.

IT IS FURTHER ORDERED that all the terms and provisions of the original judgment remain in effect. The clerk shall forthwith prepare an amended judgment reflecting the above reduction in sentence and shall serve certified copies of the amended judgment on the United States Bureau of Prisons and the United States Probation Office.

Unless otherwise ordered, Mr. Quintero-Meza shall report to the United States Probation Office within seventy-two hours after his release.

IT IS SO ORDERED.

Dated: **March 25, 2024**

  
UNITED STATES DISTRICT JUDGE